

REMARKS

Initially, in the Office Action dated June 7, 2004, the Examiner has rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over Giel et al. in view of Peuhu et al. Claim 2 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Giel et al. in view of Peuhu et al. and Ulveland. Claim 3 has been rejected as being unpatentable over Giel et al. in view of Peuhu et al. and Metroka et al. Claims 4-7 and 10-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Giel et al. in view of Peuhu et al. and Nagai.

Claims 4-7 and 10-14 remain pending in the present application.

35 U.S.C. §103 Rejections

Claim 1 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Giel et al. in view of Peuhu et al. Applicant has discussed the deficiencies of Peuhu et al. in Applicant's previously-filed response. Applicant respectfully traverses this rejection and provides the following additional remarks.

Giel et al. discloses control blanking of a display in a communication device such as a battery powered radio telephone. The communication device includes a clock operated blanking timer. When the blanking timer elapses, the communication device blanks the display a predetermined time after a key press of a keypad. A switch detects when the communication device is in use. In response to this detection, the communication device maintains supply of operating power to the display, overriding the blanking timer. When a user is holding the communication device adjacent to the user's head, an earpiece sensor provides an indication of this

condition. In response to the indication, the display is immediately blanked to conserve operating power in the battery.

Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of claim 1 of, inter alia, a radiotelephone handset that includes a cover movable between a closed position and an open position in which the keypad is accessible to the user, or means for lighting the display and keypad to an extent limited by the position of the cover. The Examiner asserts that Giel et al. teaches lighting the display and keypad in response to the position of the cover at col. 3, lines 16-20 and col. 4, lines 26-58. However, although Giel et al. teaches lighting the display in response to the position of the cover, these portions of Giel et al. do not disclose or suggest lighting of the keypad in response to the position of the cover. In contrast, Giel et al. discloses illuminating the display and the keypad in response to a user manipulating the keypad to enter a phone number. Thus, the keypad in Giel et al. is illuminated in response to manipulation of the keypad (see, col. 4, lines 51-58). In contrast, the claims of the present application relate to lighting the display and keypad to an extent limited by the position of the cover. Moreover, in Giel et al. the extent of lighting of the display and keypad is not limited.

The Examiner admits that Giel et al. does not teach lighting the display and keypad to an extent limited by the position of the cover but asserts that Peuhu et al. teaches these limitations at col. 4, lines 32-35. However, as pointed out in Applicant's previously-filed response, this portion of Peuhu et al. merely discloses backlight being supplied to the segments of the display in sequence as they appear.

Peuhu et al. does not disclose or suggest a moveable cover with a closed position and an open position, as recited in the claims of the present application. Further, Peuhu et al. discloses that the display may be provided with one or more touch sensitive elements (see col. 1, lines 66-67). In contrast, the claims of the present application recite a keypad and lighting means for lighting the keypad. A touch sensitive screen as disclosed in Peuhu et al. is not a keypad as recited in the claims of the present application, therefore, Peuhu et al. does not disclose or suggest a keypad or a lighting means for lighting the keypad as recited in the claims of the present application. In addition, Peuhu et al. does not disclose or suggest a moveable cover or a keypad and therefore does not disclose or suggest a moveable cover limiting the extent of illumination of the keypad and the display, as recited in the claims of the present application.

Moreover, Peuhu et al. discloses the display being withdrawn or retracted segment by segment from the housing element (see col. 1, lines 60-64). However, there is no disclosure of a movable cover with a closed position and an open position. According to the limitations in the claims of the present application, a cover is movable between a closed position and an open position in which the keypad is accessible to the user. Further, Peuhu et al. does not disclose or suggest a movable cover or a keypad. Further, Peuhu et al. does not disclose or suggest a movable cover limiting the extent of illumination of the keypad and the display, as recited in the claims of the present application. Peuhu et al. discloses that the display may be provided with one or more touch sensitive elements. This is not a keypad, as recited in the claims of the present application.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of claim 1 of the present application. Applicant respectfully requests that this rejection be withdrawn and that this claim be allowed.

Claim 2 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Giel et al. in view of Peuhu et al. and Ulveland. Applicant has discussed the deficiencies of Ulveland in Applicant's previously-filed response. Applicant submits that claim 2 is dependent on independent claim 1 and, therefore, is patentable at least for the same reasons noted regarding this independent claim. Applicant submits that Ulveland does not overcome the substantial defects noted previously regarding Giel et al. and Peuhu et al. For example, none of the cited references disclose or suggest where when the cover is in a closed position, the display and all the keys of the keypad are obscured by the cover, when the cover is in the closed position, the lighting means is not operable to provide any lighting.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of claim 2 of the present application. Applicant respectfully requests that this rejection be withdrawn and that this claim be allowed.

Claim 3 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Giel et al. in view of Peuhu et al. and Metroka et al. Applicant has discussed the deficiencies of Metroka et al. in Applicant's previously-filed response. Applicant respectfully traverses this rejection and assert that claim 3 is dependent on independent claim 1 and, therefore, is patentable at least for the same reasons

noted regarding this independent claim. Applicant submits that Metroka et al. does not overcome the substantial defects noted previously regarding Giel et al. and Peuhu et al. Applicant submits that none of the cited references disclose or suggest where when the cover is in the closed position, all the keys of the keypad, but not the display are obscured by the cover, when the cover is in the closed position, the lighting means can provide lighting to only the display.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of claim 3 of the present application. Applicant respectfully requests that this rejection be withdrawn and that this claim be allowed.

Claims 4-7 and 10-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Giel et al. in view of Peuhu et al. and Nagai. Applicant has discussed the deficiencies of Nagai in Applicant's previously-filed response.

Regarding claims 7, 10 and 11, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, a radio telephone handset where a user input interface lighting is activated only for those portions of the user input interface which are not hidden by the cover as determined by a detected estimate of the position of the cover, lighting means for lighting the display and keypad in dependence upon the position of the cover where when a portion of the keypad is hidden by the cover, the lighting means is operable only for those portions of the keypad that are not hidden by the cover as determined by an estimate of the position of the cover, or lighting means for lighting and

displaying the keypad, in dependence upon the position of the cover where when the cover is at a first position, the lighting means is operable to illustrate a first portion of the keypad and the display while a second portion of the keypad remains without illumination, and when the cover is in a second position, the lighting means is operable to illuminate the first and second portions of the keypad and the display.

As noted previously, neither Giel et al. nor Peuhu et al. disclose or suggest these limitations in the claims of the present application. The Examiner asserts that Nagai discloses a cover that when in a closed position has some but not all of the keys of a keypad obscured by a cover at col. 2, lines 10-14. However, this is not a user input interface lighting being activated only for those portions of the user input interface which are not hidden by the cover as determined by a detected estimate of the position of the cover, as recited in the claims of the present application. None of the cited references taken alone or in combination disclose or suggest input interface lighting being activated only for certain portions as determined by a detected estimate of the position of the cover.

Regarding claims 4-6 and 12-14, Applicant submits that these claims are dependent on one of independent claims 1 and 11 and, therefore, are patentable at least for the same reasons noted regarding these independent claims. For example, Applicant submits that none of the cited references disclose or suggest when the cover is in a closed position, some but not all of the keys and not the display being obscured by the cover, when the cover is in the closed position, the lighting means can light only the display and those keys of the keypad not obscured by the cover.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 4-7 and 10-14 of the present application.

Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicant submits that claims 1-7 and 10-14 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing attorney docket no. 1156.43038TRN).

Respectfully submitted,

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